

EXHIBIT 2

DISTRICT COURT
FILED

IN THE DISTRICT COURT OF CRAIG COUNTY
STATE OF OKLAHOMA

AUG 05 2021

MICHAEL JOHN BEALL,

)

Plaintiff,

)

vs.

)

M.L. BALES TRANSPORTATION LLC and
MICHAEL DEWAYNE BALES,

)
)

Defendants.

)

DEBORAH MASON, COURT CLERK
STATE OF OKLA, CRAIG COUNTY
BY *Deborah Mason*
DEPUTY

Case No. *CS-21-38*

PETITION

Plaintiff states:

1. Plaintiff Michael John Beall ("Plaintiff") is a resident of the State of Illinois.
2. Upon information and belief, Defendant M.L. Bales Transportation LLC ("Defendant Transportation") is a limited liability company organized under the laws of the State of Missouri.
3. Upon information and belief, Defendant Michael Dewayne Bales ("Defendant Bales") is a resident of the State of Missouri.
4. On August 12, 2019, at approximately 6:00 p.m., Defendant Bales operated a semi-tractor trailer eastbound in the outside lane Interstate 44 when debris fell from his trailer across the lanes of Interstate 44, near Big Cabin, Oklahoma, Craig County.
5. At the aforementioned time and location, Plaintiff was driving his motorcycle eastbound in the outside lane of Interstate 44 when he collided with debris from Defendant Bales's trailer on the roadway.

6. At all times mentioned herein, Defendant Bales was the agent, servant and/or employee of Defendant Transportation, in the course of his employment and/or agency and driving a semi-tractor trailer furnished to him by Defendant Transportation.

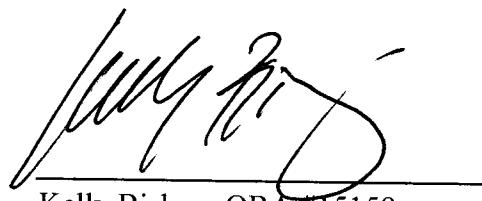
7. The collision resulted from Defendants' negligence as follows:

- a. Defendant Bales failed to keep a proper lookout.
- b. Defendant Bales failed to devote his full time and attention to his driving and violated 47 O.S. § 11-901b.
- c. Defendant Bales failed to properly secure his transportation load and violated 47 O.S. § 14-105.
- d. Defendant Bales operated a semi-tractor trailer with a height exceeding fourteen (14) feet and violated 47 O.S. § 14-103.
- e. Defendant Bales failed to maintain proper control over his semi-tractor trailer and load at a time when he knew or should have known that without such control persons, including Plaintiff, were likely to be injured.
- f. Defendant Transportation negligently hired, screened, retained, trained, and/or instructed Defendant Bales with regard to the operation of its semi-tractor trailer.
- g. Defendant Transportation furnished a semi-tractor trailer to Defendant Bales at a time when Defendant Transportation knew, or should have known, Defendant Bales was not a safe, careful, or competent driver and that as a result thereof, persons, including Plaintiff, were likely to be injured.

8. As a result of Defendants' negligence, Plaintiff suffered personal injuries. Said injuries are permanent, painful, and progressive. When injured, Plaintiff was 46 years old with a life expectancy of 33.17 years. As a further result of Defendants' negligence, Plaintiff has and will suffer pain of mind and body, will incur medical expenses, has and will suffer a loss of earnings, and has been damaged in an amount in excess of \$75,000.00.

WHEREFORE, Plaintiff prays judgment against Defendants in an amount in excess of \$75,000.00, together with interest, costs of this action, and further relief as this Court deems proper.

Respectfully submitted,



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ATTORNEYS' LIEN CLAIMED